Cdm 25/1/16

Previous references
G in 176-48 1564 of April 1915
(Miscellaneous)

Inl File No 107-14
Serial Nos 1, 3, 4 & 7

Later references

Present

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1, 3, 4 & 7

Part B. for December 1915.

SUBJECT

Compensation of Rs 130/- to Lt Col A.A Jones for damages caused to his motor car as the result from accident on the Sehadri road

G.O. No 4528-30 dt 22 12 15.

Sanctions the payment of Compensation of Rs 130/- to Lt Col A A Jones for damages caused to the motor car as the result from accident on the Sehadri road.

G R S 58
Cdm 16/1/16

GPS—4 000—4-7 11

G R S 11] 1914 732

GENERAL AND REVENUE SECRETARI

(Int.)

NOTES

File No 107

FILE HEADING

Accidents to Vehicles during repairs of roads in the Bangalore city

From

The President and Council Bangalore City

No 15 Dated 18 7 14 Received 20 7 14

Diary No 732	Enclos	Spare Copies	Serial No 1

BRIEF ABSTRACT OF LETTER

Requests sanction to an expenditure of Rs 130 incurred for paying compensation to Lt Col A A Jones for damages caused to his motor car as the result of an accident on the 6th August 1913 on the Seshadri road

NOTES AND ORDERS

It is the duty of the Int Council to fence & light during repairs of roads, Sec 124 (1) of the Act says they may pay compensation out of their funds for damages sustained by any person owing to their neglect in so doing Sec 67 (2) of the Mysore Act

NOTES—First Sheet

GPS—3,000 15 6 12

C R S 12]

General and Revenue Secretariat | 2nd File No 107 of 1914

Serial No	
3	It is seen from the papers that the P W D Executive Engr. in the Cubbon park and the Gardens Supdt. are mainly responsible for the accident & not the 2nd Asst of the Bangalore City. So the compensation does not appear to be a charge on the 2nd Council but the Executive Engr. may accept the liability. As the amount has already been paid, it appears the Chief Engineer may, before issuing sanction to the present Rs. Communication, be asked to report the circumstances under which the P W D failed to take proper precautions in the matter, as the Supdt. of the Govt Gardens has stated that the warning action was mainly the cause for the accident.
4	If approved a draft will be put up
5	for orders.
	TS 61 23/7/14 Put up draft please.
	7 Draft, submd TS 61 27/7/14 Submd. for Secy
	8. Please find the draft
	30/7/14

NOTE—Contn sheet

3PS—10 000—18-6-14

General and Revenue Secretariat

File No 107 of 1914.

Serial No.	
9	Four drafts, submitted
	Dated. 1/8/14 Dr Lee 4/
10	Draft may be approved
	Dewan

649 / 4.8.14

A 3/8/14 ASP 3 pm

(G R S 12)

General and Revenue Secretariat | File No. 107 of 1914.

Serial No

12 The papers in this case may be forwarded to the Secretary to Government, P.W.D., for favour of a note.

13. The desirability or otherwise of making the official responsible for the omission, pay the whole or at least a part of the compensation amount, should be carefully considered and a recommendation submitted.

10 8 14

6 10 14

13 a Forwarded to the Secretary to Government P.W.D. for favour of pavilion P.20

10/8

NOTE—Contn sheet.

GPE—60 000—7 11 13

Public Works Secretariat

75 2d File No 607 of 1914

5

Serial No

From the Superintending Engineer's report (copy herein enclosed), it is clear that no blame attaches to the Public Works Department officers and subordinates. Mr.Krumbiegel seems to have taken the responsibility for closing the road on himself and as such, none of the Public Works Department officers or subordinates can be made to pay any portion of the compensation paid to Col.Jones.

For Offg Chief Engineer of Mysore.

Camp Mysore,
26th September 1914.

Note—Contn sheet

GPB—1,000—12 2 12

Unofficial No. 9 dated the 9th September 1914 from the Superintending Engineer, Southern Circle

- - - - - - - - -

Chief Engineer's Unofficial No. 19/P.W D. dated the 1st August 1914, received in this office on about the 19th idem and enquiring why the old Sheshadri Road was not effectively closed whereby the accident to Lt.Col.Jones' Motor Car on the night of the 6th August 1914 might be averted.

- - - - - - - - -

In returning herewith the file received has the honour to state that the parties whose explanations have to be obtained in the affair are (1) Mr. D'Cruz, Executive Engineer, (2) Mr. S.H.Lakshminarasappa, Assistant Engineer, and (3) Mr.F.Eaton, Sub Overseer in immediate charge of the work. Of these, Mr. D'Cruz is now on three months' privilege leave from the 2nd August 1914 and Mr.Eaton, Sub Overseer, transferred to the Railway Department. Mr.S.H Lakshminarasappa, the Assistant Engineer, who was here on the 8th September 1914, was called upon to explain the occurrence With reference to Mr Krumbiegel's note that he instructed the P W.D Overseer to put up a barricade, he states he cannot say anything as to whether Sub Overseer Mr.Eaton received any orders from Mr Krumbiegel and that no intimation was sent by Mr Krumbiegel of his intention to close the road, to the Assistant Engineer, that when the deviation road was being formed, Mr. Krumbiegel once suggested in person to the Assistant Engineer that the old road might be closed but was informed in reply that the P W D would not be justified in closing the old road before the new deviation road was fit for motor traffic. The accident occurred on the very night of the day on which the hedge was put up and the Assistant Engineer become aware of the existence of the hedge only after the accident. As Mr. Krumbeigel did not intimate to any of the responsible officers about his intention to

put

put up a barricade no blame seems imputable to the Bangalore Division.

- - - - - - -

True copy

Assistant Secretary to Government
P. W. Department.

G. R. S. 12]

General and Revenue Secretariat | Jud File No 107 of 1914

Serial No.	
16	File resubmitted with the Offg. Chief Engineer's N O. Opinions in the matter. Attention is respectfully invited to the Dewan's order - para 12 supra Dated 15 10 14 BS 16/10
	Mr Kennedy's letter to the President shows that the Cubbon Park Co is primarily responsible for the accident the Compensation now payable is Rs 130/— Put up suitable draft to the Govt Garden enquiring what the pay of the overseer is, & what portion of the Compensation may, in Mr Kennedy's opinion, be recovered from him Hm 19/10
18	Draft submitted Approved 21 10 14 Dr Secy) BS 22/10 Hm 23/10
19	Hm 22/10/14 Hm
3 20	Letter No 3602 dated the 5th Nov. 1914 to the Supdt. Govt Gardens Edakes Mahl from this letter to

NOTE—Contn sheet

GPB—30,000—15 9-14

Serial No.

the Drumb. President it is evident that his Overseer was primarily responsible for the accident which resulted in the Drumb. Consul paying a sum of Rs 1307- to Col Jones by way of Compensation and enquired what portion of that amount may, in his opinion, be recovered from the Overseer by way of punishment for his negligence.

4 21 Letter no. 740 dated the 16th Nov. 1914 from the Supdt. Govt. Gardens States, in reply, that the Overseer has been already severely warned and reprimanded and recommends that Govt may desist from recovering any part of Compensation from his salary

Submitted for orders Attention is invited to the Dewan's order para 13 supra, and paras 15 & 17

26/11/14

Dr Lee 4

Asst
1/12

23 Please put up a draft sanctioning the payment of compensation out of the municipal fund as proposed & stating that the overseer may be fined one month's pay to be credited to the municipality

Vous—Contn sheet

3321
3329

No. 12]

General and Revenue Secretariat | 26 File No 67 of 1914.

Serial No	
	for his reference. Same suitable Remarks may be added regarding the request of the P.W.D. officers also
5	

Draft submitted. It has since received names from Mr Krumbiegel - officially until he is called "Overseer's official designation is "Master and Technical Draughtsman"

Initialled by Secy) 10.12.14

25 Please put up a clean draft

14/12

26 Clean draft submitted

Initialled by Secy) 13.12.14

26 Draft may be approved

15/12/14

Dewan

27 The Dewan desires that a sketch of

3322
16-12-14

NOTE—Contn. sheet.

FR S 12]

2013 3531 27 2729

General and Revenue Secretariat | M' File No 107 of 1914

Serial No	
23	Q. the scene of the accident showing location of the hedge may be kindly ~~got~~ obtained and put up for reference
	B.D 25/2
	SPM 18/2
	Dmm 24/2
	Hm 1/2
	28 Draft submitted Dmm 28 25/2
	29 Returned
5	30 Letter No 6793 Dt 3 3 1915 to the Economic Botanist & Supdt. Govt. Gardens Calls for a sketch of the scene of the accident showing the different roads & the location of the hedge referred to
6	31 Letter No 586 Q 13 11 15 from Circle Officer. Submits the sketch as called for
	32 Submitted with reference to para 27 Supra. Dmm 2.12.15
	33) Received 34) Dmm
	Hm 2/12
	7/12/15
	35 I am glad to see this matter to question. The explanation may be accepted. 11.12.15

2920 7.12.15

NOTE—Contin. sheet.

GPB—25 000—2 11 14

No 13

R S 12]

General and Revenue Secretariat | File No 107 of 1914

Serial No	
	FD 13/12/15 Hon 13/12
	36. Submitted with draft sanctioning the expenditure. 17/12/15 19/12
7	GO No 4528-30 dy 22 12 15 sanctions the expenditure of Rs 130/- referred to in Sl 1

NOTE—Contn sheet

GPE—20,000—30-6-15

13

B M 109]

Mel 07-14/811

No 15
Enc 2

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL
BANGALORE CITY, DATED 15th July 1914.

D 732

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K P PUTTANNA CHETTY, ESQ,
Honorary President, Municipal Council
Bangalore City

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

SIR,

I have the honor to forward herewith, copy of resolution of the Municipal Council dated the 27th June 1914 sanctioning the payment of a sum of ₹130/- to Lt. Col. A.A. Jones, Military Secretary to Government, as compensation for damages caused to his Motor Car as the result of an accident when he drove at 7-30 P.M., on the 6th August 1913 on the Seshadri Road under the circumstances set forth below.

2. In view to carry out certain improvements to Sir Seshadri Iyer's statue site and its surroundings, the closing of that portion of the Seshadri road which was included in the Cubbon Park limits was ordered in Government Proceedings No. G.8051-3/G.M. 24-12-5 dated the 18th June 1913.

Z

3. Accordingly, a notice dated 7th July 1913 was issued by this office in consultation with the Superintendent, Government Gardens, closing the said portion of the road permanently from the 18th July 1913. This notice was published in the Mysore Gazette of 10th

Y

enorary President.

GPB—2,000—20-8-18

191

From

To

Dated

Despatched

Received

General No

No.

Enclosure Nos.

10th July 1913 and in the Daily Post of 20th, 21st and 22nd July 1913. No further action was however taken by the Municipality, as the roads in the Cubbon Park are entirely under the Mysore Public Works Department and not under the Municipality, and the Park authorities were expected to take all necessary precautions.

4. Lt. Col. Jones, who had driven his Motor Car on the same road a day or two ago, met with an accident on the evening of the 6th August as Mr. Krumbiegel had, in the meantime, put up a barricade of lantana bush across the road as a warning to passengers, but without protecting it by any signal. I enclose copy of his letter dated the 9th May 1914 explaining how the mistake occurred. The road should not have been blocked without some warning signal on the spot-particularly at night time. He appears to throw the responsibility on the Public Works Department. I thought no good purpose would be served by throwing the blame on Government Departments and exposing them to an action in a Court of Law and that the responsibility of the Municipality did not cease by mere publication of the notice intimating the closing of the road.

5. I accordingly effected a compromise with Lt. Col. Jones who accepted a compensation of Rs 130/- in full settlement of his claim which was for Rs 300/-. The amount was paid from Municipal funds but not without protest from some of the Councillors.

6. Another accident has since occurred in the Cubbon Park for which the Public Works Department of Government is answerable.

7 I may mention in this connection that the roads in the Cubbon Park are entirely under the Mysore Public Works Department and not under the Municipality and that the accident to Col. Jones Car occurred during the progress of certain works in connection with the laying out of the grounds of Seshadri Memorial Hall.

8. I request sanction to the charge incurred by the Municipality.

I have the honor to be
Sir,
Your Most obedient servant,

B B M Hammingfett

Honorary President.

Extract from the Proceedings of an Ordinary General Meeting of the City Municipal Council, Bangalore, held at the Office Premises at 7-30 A.M., on Saturday the 27th June 1914.

Cue 09—W/81

P r e s e n t.

Diwan Bahadur Rajasabha Bhushana L.P. Puttanna Chetty Esqr, Honorary President.

R. Subba Rao Esqr, M.B.C.M., L.S.M. Health Officer.

Rev L.G. Edwards.

C.V. Varadachariar Esqr, B.A.B.L.,

D.D. Ramachandra Mudaliar Esqr.,

C. Rajappa Esqr.,

D. Chinnaswami Chetty Esqr

D.K. Garuda Char Esqr.

S.N. Subba Rao Esqr.,

K.K. Veeraraghavayya Esqr, B.A.B.L

D. Adappa Esqr.,

G. Siddaveerappa Esqr.,

B.V. Ramanuni Chetty Esqr, B.A.,

D. Uman Khan Esqr.,

D. Abdur Rahman Esqr, B.A.,

K. Ramiya Esqr.,

D. Ramappa Esqr.,

S. Ramchandraraoni Esqr, B.A.,

D. Venkataramaiya Esqr, B.A.,

G. Venkataranganger Esqr.,

A b s e n t.

The Executive Engineer, Bangalore Division.

The Amildar, Bangalore Taluk.

B. Ramanaiah Esqr, B.A.,

M. Subbaiya Esqr., B.A.,

22. D.O. letter No. 27 dated the 8th August 1913 from Lt. Col. A.A. Jones Military Secretary to the Government of Mysore complaining that, owing to want of danger signal with light in the Sankadri Road where it had been barricaded for repairs etc, he got his MotorCar damaged at 7-30 P.M., on the 6th August 1913 and claiming damages amounting to Rs200/-, and subsequent correspondence in the matter.

Honorary President's order on the subject dated the 25th May 1914, deciding to pay a sum of Rs130/- to Col Jones which was accepted by him in final settlement of his claim.

Resolution.- Payment of Rs130/- as compensation was sanctioned.

sanctioned.

Sd. K.P. Puttanna Chetty,
Honorary President.

"COPY".

For Honorary President.

Copy of letter No. 1737 dated 9/11th May 1914, from the Superintendent, Government Gardens, Bangalore, to the Honorary President, Municipal Council, Bangalore City.

With reference to the matter of the accident to Col. Jones' Car, I regret to find that, owing to my absence from here which necessitated some departmental correspondence, the letter was inadvertantly filed.

The circumstanes under which the scrub and grass hedge was thrown across the road are as follows:-

Sanction was received for the laying out of the garden in front of the Seshadri Memorial Hall and in view of the very short time available before the Viceregal visit, work had to be started at once.

I had arranged a meeting on the spot with the Acting Chief Engineer and the Electrical Superintendent, with a view to settle all details.

As intimation of closing the Road had already been out and the diversion had already been in use for some time, I arranged that my Overseer should continue the trenching forthwith taking up the old road, the Public Works Department to go on with the Roads around the Seshadri Memorial Garden and close up the old road the Electrical Department to refix the Electric lamps on the new diversion.

As an additional safe guard I told my Overseer to put all the scrub and grass that was being removed from the ground there across the road so that in case a car failed to notice the bamboo the hedge would be a more readily visible barrier, while even if any body by way of mischief should throw aside the Bamboo (as is often done) the hedge would always be visible and prevent any one going over the old road and coming to grief at the place where it was dug up completely.

Mr. Krishna Iyengar could, unfortunately, not attend that morning, but I spoke to one of the Overseers about the arrangement.

My Overseer, though he knew of the arrangements, seems to

have carried out his part of the order before the Public Works Department did theirs, thinking that they would put up the bamboo & lamp the same day.

We must, therefore admit that between the two Departments, one being too slow and the other too hastily, a cause for the accident was given.

From your letter it was presumable that the accident was a slight one and Col. Jones unfortunately did not deem it the proper course to write to me, but simply directed the Motor House to send a bill for two covers to the back wheels. I presumed that this meant that one or both of the front wheel covers (which are generally the weakest and oldest) had been cut and he had transferred the good covers for the back wheels to the front and put new covers to the back wheels.

However, as Col. Jones had not the courtesy to write to me so as to give me an opportunity to verify the damage and assist him in establishing a reasonable claim, my conclusion that the damage merely amounted a puncture or two was confirmed and I replied to the Motor House as per copy attached.

All the same I would wish to see Col. Jones compensated for any outlay so far as it is due to the damage sustained, for this is no doubt that my Overseer's haste was the primary course, though, as matter actually stood, the hedge undoubtedly prevented a much more serious accident further on. He should have seen to it that the Bamboo and danger lamp were first put up ere he put the hedge. On the other side we have to consider.

(1) That the new diversion had been in general use for some time and the public had almost completely abandoned the old road.

(2) For this reason a diversion has to expect traffic coming round the curve where the new road joins the old (and when the accident occurred) and this together with the fact that the road comes down an incline demands careful driving at a very moderate speed.

(3) There was an electric lamp on the junction and this

together

No

OFFICE OF THE ECONOMIC BOTANIST,

INTENDENT ARDENS

G R S 26

No 107-14

Serial No. 3

Diary No of letter replied to 732

No 3602

General and Revenue Secretariat

(Home)

Dated, the 21. 10 1914.

To

5.11.14

G. H. Krumbiegel Esq F.R.H.S.,

Supdt, Govt gardens

Date of issue 5/11/14

Signed by for A V Ramanathan

Sir,

With reference to the accident to Lt. Col Jones' motor car on the Seshadri Road on the night of the 5th August 1914, I am directed to state that it is evident from your letter No 1737 dated the 9th May 1914 to the address of the President, Bangalore City

over

SUBJECT

That your Drivers were primarily responsible for that accident, and which has caused
which resulted in the Municipal
personal injuries to Cpl. Jones a sum of £ 1307. by way of Compensation
2) I am therefore to request you to be so good as to state on what part of the said Carriageway
which portion of the aforesaid Carriageway should, in your opinion, be secured from him by way of punishment for his negligence.

I have &c

List of enclosures

Copied by

Examined by

GPB—25 000—4 3-13

OFFICE OF THE ECONOMIC BOTANIST,
SUPERINTENDENT, GOVT GARDENS,
LAL-BAGH, BANGALORE.

Dated, Nov 16, 1914

From

G H KRUMBIEGEL FRHS,
ECONOMIC BOTANIST,
SUPERINTENDENT, GOVT GARDENS

To

D.L Narasinga Rao, Esq, B A, B L,
Offg Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Departments,
Bangalore.

Sir,

In reply to your letter No.3602/M1 10Ȝ-14-3 dated 5th November I have the honor to state that the pay of the Overseer is Rs.40/- The Overseer has been already severely warned and reprimanded and I would recommend that Government kindly desist from recovering any part of the compensation from his salary for the following reasons:-

(1) The man has not previously in any way given cause to complai

(2) He started putting the scrub and grass across the Road in confidence that the Public Works Department would close it in the course of the day--and in order to push on the work, and it would be hard to recover a fine for neglect in his service

(3) The nature of the obstruction was not such as would endange traffic as a fixed construction would, and to my knowledge there has been no proof furnished that any damage (beyond perhaps a puncture or two) was caused

The man has already been severely warned and reprimanded

I have the honor to be,
Sir,
Your most obedient servant,

Economic Botanist,
Superintendent, Govt Gardens

19

From

G H KRUMBIEGEL FRHS,

ECONOMIC BOTANIST,

SUPERINTENDENT, GOVT GARDENS

To The Offg Secretary to the Govt. Ceylon Peradeniya
General and Rev Depts Bangalore

Dated 17 11 Cglm

Despatched

Received

General No 740

No

Enclosure No

Reporting about the way of the overseer the Bell-Captain for his remuneration of Rs

G R S 26]

27/2

Diary No of letter replied to 3729

5

File No 107-14

Serial No 5

No 6793 93.3/15

mil 107-14-5

General and Revenue Secretariat

(Numbers)

25 , *the* 25 2 *1915*

Date of issue 3 3 15

Signed by Mr A V Ramanathan

To The ~~Supdt~~ Ec Bott & Engr-Supdg Bangalore

The President, City Municipal Council

Sir,

Correspondence ending with this

With reference to your letter no ~~to~~ 740 dated the ~~13~~ 16th Nov 1914, about the accident to Lt Col. Jones' Motor Car on the Seshadri Road on the night of ~~of~~ the 6th August 1914, I am directed to request you to be so good as to submit a sketch of the scene of the accident showing

over 4

SUBJECT

CWE 27/1/15

Subsequent roads and
the location of the bridge referred
to in connection
I have the

List of enclosures.

Copied by,

Examined by,

GPB—25,000 4-3-18

2013 T
Dept. No 4 107-14-6

19 -19
From
No

From

OFFICE OF THE ECONOMIC BOTANIST
SUPERINTENDENT, GOVT GARDENS
LAL-BAGH, BANGALORE

Dated, Nov. 13, 20 ---- 191 5.

26

G H KRUMBIEGEL F.R.H.S.,
ECONOMIC BOTANIST,
SUPERINTENDENT GOVT GARDENS

To
D.M.Narasinga Rao, Esq., B.A.,B.L ,
Secretary to the Government of His Highness the
Maharaja of Mysore, General Department, Bangalore

Sir,

With reference to Government Order No 6793 4 107-14-5 dated 3 3 15- I have the honor to enclose a tracing showing the site of Col. Jones' Motor car accident. The direction in which the car travell--ed is indicated by the letters A.B.C D.

The portion of the Road closed being B C.D. while the new Road opened in place of it is B.A D The site of the hedge put across the road near B is shown by a green line and the lamp close by is indicated by a red dot

This I think will make clear the points raised in the report referred to

I have the honor to be,
Sir,
Your most obedient servant

G H Krumbiegel

Economic Botanist,
Superintendent, Govt Gardens

From

G H KRUMBIEGEL F R H.S.,
ECONOMIC BOTANIST,
SUPERINTENDENT, GOVT GARDE

To The Secretary to Govt.
General Dept.
Bangalore

Dated

Despatched 20 11 [illegible]15

Received

General No 586
No

Enclosure No 1 plan.

Enclosing a tracing showing the site of Col Jones motor car accident

GPB—50,000—26-9-12

GRS 28]

Diary No of letter replied to 732 ~~6951-14~~ 2013-15

GENERAL AND REVENUE SECRETARIAT
(Rev)

, the 191

Date of issue

Signed by

Re damage to Lt-Col Jones's motor car on the Seshadri Road, Bangalore

B

File No 67-14
Serial No 7

Proceedings of the Government of His Highness the Maharaja of Mysore

READ— Letter No. 15 dated the 15th July 1914 from the President, Bangalore City Rural Camal, reporting the circumstances under which the motor car of Lt-Col Jones ~~ORDER THEREON—No~~

was slightly damaged when he was driving in it on the ~~Sesha~~ Seshadri Road in the evening of the 6th August 1913 and stating

over

SUBJECT

GPB—50 000—1 12-15

28

that a sum of Rs 130/- has been paid to Lt-Col Jones from Regtl Funds in full settlement of his claim for damages on that account and requesting sanction to the said expenditure of Rs 130/-.

2. Correspondence ending with letter No. 686 dated the 13th Nov 1915 from the Superintendent, Govt Gardens, in the matter.

Order No. 4528-30/Ret 107-A —) dt 22nd Dec 1915

The expenditure referred to is sanctioned.

Asst 19/12
For Secy

To

The President, Bangalore city Municipal Council

4 Superintendent, Govt Gardens

a Comptroller.

17/12/15